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WELLS FARGO BANK, N.A.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ALICIA HERNANDEZ, et al., individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendant.

No. 3:18-cv-07354 WHA

**DECLARATION OF STACIE C. KNIGHT
IN SUPPORT OF DEFENDANT WELLS
FARGO BANK, N.A.'S OPPOSITION TO
PLAINTIFFS' RENEWED MOTION FOR
CLASS CERTIFICATION**

Date: January 15, 2020

Time: 8:00 a.m.

Courtroom: 12

Judge: Hon. William H. Alsup

1 I, Stacie C. Knight, hereby declare, under penalty of perjury, as follows:

2 1. I am Of Counsel at Winston & Strawn LLP, counsel for Defendant Wells Fargo Bank,
3 N.A. (“Wells Fargo”) in this matter. I make this declaration based on my personal knowledge and in
4 support of Wells Fargo’s Opposition to Plaintiffs’ Renewed Motion for Class Certification.

5 2. I am personally familiar with the facts set forth in this declaration. If called as a
6 witness, I could and would competently testify to the matters stated herein.

7 3. My office represents Wells Fargo in six actions brought by individual putative class
8 members in Florida (1 action), Kentucky (1 action), New Jersey (2 actions), New York (1 action),
9 and Rhode Island (1 action).¹ These plaintiffs all experienced a completed foreclosure, with the
10 exception of one New Jersey plaintiff, who sold the subject property via short sale. These Plaintiffs
11 have demanded damages ranging from over \$116,000 to \$1,137,893.40. My office also represents
12 Wells Fargo in three putative class actions filed by eight other putative class members in
13 Washington, New York, and Ohio, all of whom experienced a completed foreclosure.

14 4. Attached as **Exhibit 1** is a true and correct copy of relevant excerpts of the August 2,
15 2019 Wells Fargo 30(b)(6) Deposition of Carmen Bell.

16 5. Attached as **Exhibit 2** is a true and correct copy of Exhibit 408 to the August 2, 2019
17 Wells Fargo 30(b)(6) Deposition of Carmen Bell.

18 6. Attached as **Exhibit 3** is a true and correct copy of Exhibit 406 to the August 2, 2019
19 Wells Fargo 30(b)(6) Deposition of Carmen Bell.

20 7. Attached as **Exhibit 4** is a true and correct copy of relevant excerpts of the November
21 14, 2019 Deposition of Susan Crawford.

22 8. Attached as **Exhibit 5** are true and correct copies of Exhibits 3, 6, and 7 to the June 6,
23 2019 Deposition of Plaintiff Debora Granja.

24 9. Attached as **Exhibit 6** is a true and correct copy of relevant excerpts of the June 11,
25 2019 Deposition of Plaintiff Troy Frye.

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27 ¹ The Rhode Island action was dismissed by the court without prejudice for lack of personal
28 jurisdiction.

1 10. Attached as **Exhibit 7** is a true and correct copy of Wells Fargo's Responses to
2 Plaintiffs' Second Set of Interrogatories.

3 11. Attached as **Exhibit 8** is a true and correct copy of relevant excerpts of the June 27,
4 2019 Deposition of Plaintiff Coszetta Teague.

5 12. Attached as **Exhibit 9** is a true and correct copy of relevant excerpts of the June 25,
6 2019 Deposition of Plaintiff Tiffanie Hood.

7 13. Attached as **Exhibit 10** are true and correct copies of Exhibits 194, 197, and 198 to
8 the June 20, 2019 Deposition of Plaintiff Rose Wilson.

9 14. Attached as **Exhibit 11** is a true and correct copy of relevant excerpts of the June 10,
10 2019 Deposition of Plaintiff Alicia Hernandez.

11 15. Attached as **Exhibit 12** are true and correct copies of Exhibits 20 and 23 to the June
12 10, 2019 Deposition of Plaintiff Alicia Hernandez.

13 16. Attached as **Exhibit 13** is a true and correct copy of relevant excerpts of the June 6,
14 2019 Deposition of Plaintiff Debora Granja.

15 17. Attached as **Exhibit 14** is a true and correct copy of relevant excerpts of the June 12,
16 2019 Deposition of Plaintiff Brenda Simoneaux.

17 18. Attached as **Exhibit 15** is a true and correct copy of the December 11, 2019
18 Deposition of Jerry de la Cruz (in rough format due to time constraints).

19 19. Counsel for Wells Fargo has researched the extrinsic evidence rules of the
20 jurisdictions at issue here. To assist the Court, counsel prepared tables summarizing that research,
21 which are attached at **Exhibit 16**.

22 20. Counsel for Wells Fargo also collected existing surveys regarding state consumer
23 protection statutes. True and correct copies of our compilation of these surveys are attached as
24 **Exhibit 17**.

25 21. Attached as **Exhibit 18** is a true and correct copy of the transcript of the November 6,
26 2019 hearing.

27 22. Attached as **Exhibit 19** is a true and correct copy of a redline comparing Plaintiffs'
28

1 Proposed California Class Trial Plan (Dkt. 173-68) and Plaintiffs' Proposed Plan for Nationwide
2 Class Trial (Dkt. 173-69).

3 23. Attached as **Exhibit 20** is a true and correct copy of the December 10, 2019
4 Deposition of Sandra Campos (in rough format due to time constraints).

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed on this 12th day of December 2019.

3 /s/ Stacie C. Knight
4 Stacie C. Knight

5 WINSTON & STRAWN LLP
6 Attorneys for Defendant
7 WELLS FARGO BANK, N.A.
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